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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/024,885 | 02/17/1998 | DAVID ROTH | T1680CIP2 | 8884 |

7590 08/04/2003
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EXAMINER

ABRAMS, NEIL

ART UNIT PAPER NUMBER

2839

DATE MAILED: 08/04/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/024885

Applicant(s)

Examiner

N. Abrams

Group Art Unit

2839

— The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address —

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- ☐ Responsive to communication(s) filed on 7-9-03 (RCE and amd't)
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 80-85, 94, 117-126, 128, 133-143 is/are pending in the application.
- Of the above claim(s) _____ is/are withdrawn from consideration.
- ☒ Claim(s) 80-85, 94, 117-126, 133-143 is/are allowed.
- ☐ Claim(s) _____ is/are rejected.
- ☒ Claim(s) 128 is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement

Application Papers

- ☐ The proposed drawing correction, filed on _____ is ☐ approved. ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119 (a)-(d).
- ☐ All ☐ Some* ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
- ☐ Certified copies of the priority documents have been received in Application No. _____.
- ☐ Copies of the certified copies of the priority documents have been received

in this national stage application from the International Bureau (PCT Rule 17.2(a))

*Certified copies not received: _____

Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- ☐ Interview Summary, PTO-413
- ☐ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Other _____

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The request for continued examination (RCE) is acknowledged. A first action follows.

Remarks, page 8, listed claims should be 80-85, 94, 117-126, 128, 133-143.

Claims 80-85, 94, 117-123, ¹³³~~133~~-143 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Terms "an overall length ... type III standard are recited in claims 80, 133, 139. Basis in disclosure as filed for such limitation is not found.

Applicant should point out such basis by page and line numbers. The limitations are asserted to be new matter pending such clarification. If asserted as inherent, then terms must be added to the spec to provide proper basis.

Claims 80-85, 94, 117-123 and 133-140 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aldous 404 in view of Siemon, Hardesty, Clark and Research Disclosure (RD).

For claims 80, 133, 139 Aldous, fig. 8 lacks an insertion module (adapter). It would have been obvious to use an adapter in view of Hardesty, Clark and RD for reasons noted in prior office actions.

For claim 85, Hardesty, figs. 1, 2, 3, 6A are applied. For claim 118, 140, the Hardesty, Clark, RD, disclosures lack a pivoting cover. Siemon, fig. 10 shows such a cover. Obvious to use such a cover to seal the receptacle contacts from moisture, etc. For claim 121, obvious to

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include Aldous DAA50 in the adapter. For claim 119, patentability cannot be based on unclaimed wireless device. Other claims 82, 83, 84, 85, etc. clearly fall within the scope of Aldous, as modified above.

Claims 124-126 are rejected under 35 U.S.C. 102(e) as being anticipated by Aldous 404.

See fig. 20, applied as discussed in prior office actions. Part 154 movably blocks the drawer bottom therefore should be readable as a movable bottom. Claims 125, 126, clearly met by Aldous and do not appear to be at issue.

Applicant's arguments filed with the amendment have been fully considered but they are not persuasive.

Even if the length limitation be found proper, it is seen as lacking sufficient precision to overcome the references. Also if Aldous card 40 is equivalent to fig. 24A card 390, then card 40 with an adapter should be equivalent to card 392 with drawer 394A extended. Claim 124 arguments responded to above. Note that the claim does not define over a pivotal bottom.

Claim 128 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 141-143 overcome the prior art.

Any inquiry concerning this communication should be directed to N. Abrams at telephone number 308-1729.

NEIL ABRAMS
EXAMINER
ART UNIT 322

